

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

RAYMOND L. WESTON	:	CIVIL ACTION
	:	
v.	:	
	:	
CITY OF PHILADELPHIA, COMMISSIONER	:	
CHARLES H. RAMSEY, SERGEANT	:	
DIDONATO, SERGEANT GUILIAN,	:	
LIEUTENANT JOHN DOE, CAPTAIN JOHN	:	
DOE, CAPTAIN DETECTIVE JOHN DOE,	:	
POLICE OFFICER HULMES, POLICE	:	
OFFICER BANNING, POLICE OFFICER	:	
QUINN, POLICE OFFICER LYNCH, POLICE	:	
OFFICER JONES, and POLICE OFFICERS	:	
JOHN DOE 1-2	:	NO. 17-2432

ORDER

NOW, this 29th day of August, 2017, upon consideration of the Defendants' Motion to Dismiss Plaintiff's Complaint for Failure to State a Claim (Document No. 2), and the plaintiff's response, it is **ORDERED** that the motion is **GRANTED IN PART AND DENIED IN PART**.

IT IS FURTHER ORDERED as follows:

1. Counts I, II, IV, V and VI of the Complaint are **DISMISSED** as to all defendants, except defendant Police Officer Hulmes; and
2. Plaintiff is granted leave to file an amended complaint as to Counts IV and V only no later than September 13, 2017.

/s/TIMOTHY J. SAVAGE